

WAC 480-15-570 Driver safety requirements. (1) No household goods carrier shall employ or allow any driver to operate a motor vehicle who fails to meet minimum criteria related to all of the following requirements:

(a) All state and local laws and rules governing driver safety, including, but not limited to, the rules in this chapter.

(b) The *North American Uniform Out-Of-Service Criteria* as adopted in WAC 480-15-999.

(c) The following parts of Title 49 of the Code of Federal Regulations (49 C.F.R.), as adopted by reference in this chapter on the date specified in WAC 480-15-999:

(i) 49 C.F.R. Part 390: Safety Regulations, General; except the following definitions will apply:

(A) Exempt motor carrier: Any person operating a motor vehicle exempt from certain provisions of RCW Title 81 as defined in RCW 81.80.040.

(B) Motor carrier: Any common carrier, exempt carrier and private carrier as defined in WAC 480-15-020.

(C) Motor vehicle: Any vehicle, machine, tractor, trailer or semi-trailer propelled or drawn by mechanical power, or any combination of such vehicles, used on the public roads to transport household goods.

(D) Private carrier: Persons who transport their own household goods, transport household goods bought or sold by them or transport household goods purely as an incidental adjunct to an established business.

(E) Commercial motor vehicle: Any motor vehicle used by a household goods carrier to transport household goods, if either the vehicle has a gross vehicle weight rating or gross combination weight rating of ten thousand one pounds or more or if the gross vehicle weight or gross combination weight is ten thousand one pounds or more.

(F) Director: The commission.

(ii) 49 C.F.R. Part 382: Controlled Substance and Alcohol Use and Testing.

(iii) 49 C.F.R. Part 383: Commercial Driver's License Standards; Requirements and Penalties.

(iv) 49 C.F.R. Part 391: Qualification of Drivers.

(v) 49 C.F.R. Part 395: Hours of Service of Drivers.

(vi) 49 C.F.R. Part 40: Procedures for Transportation Workplace Drug and Alcohol Testing Programs.

(vii) 49 C.F.R. Part 385: Safety Fitness Procedures.

(viii) 49 C.F.R. Part 397: Transportation of Hazardous Materials.

(ix) 49 C.F.R. Part 375: Transportation of Household Goods in Interstate Commerce; Consumer Protection Regulations.

(x) 49 C.F.R. Part 380: Special Training Requirements.

(2) Operations that are exclusively intrastate commerce are not subject to the following provisions:

(a) 49 C.F.R. Part 391.11 (b)(1): Minimum age requirements. The minimum age for drivers of motor carriers operating solely intrastate is eighteen years of age rather than the twenty-one years of age required to operate in interstate commerce.

(b) 49 C.F.R. Part 391.49: Waiver of certain physical defects. This part does not apply if the driver has obtained from the Washington department of licensing a driver's license with endorsements and/or restrictions allowing operation of the motor vehicle they are driving.

[Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.353. WSR 11-04-041 (Docket A-101466, General Order R-562), § 480-15-570, filed 1/25/11, effective 2/25/11. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.250, 81.28.040, 81.80.120, 81.80.130 and 81.80.290. WSR 08-02-049 (Docket TV-070466, General Order R-547), § 480-15-570, filed 12/27/07, effective 1/27/08. Statutory Authority: RCW 80.01.040, 80.04.160, 81.04.160, and 34.05.310. WSR 01-20-061 (Docket No. A-010827, General Order No. R-491), § 480-15-570, filed 9/28/01, effective 10/29/01. Statutory Authority: RCW 81.04.160, 81.04.250, 81.28.040, 81.80.090, 81.80.120, 81.80.130, 81.80.290, 81.80.211, and 80.01.040. WSR 00-14-010 (General Order No. R-471, Docket No. TV-991559), § 480-15-570, filed 6/27/00, effective 7/28/00. Statutory Authority: RCW 81.04.160 and 80.01.040. WSR 99-01-077 (Order R-454, Docket No. TV-971477), § 480-15-570, filed 12/15/98, effective 1/15/99.]